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EXAMINER

LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
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2178

NOTIFICATION DATE	DELIVERY MODE
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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/687,019	Applicant(s) BARRUS ET AL.	
	Examiner MATTHEW J. LUDWIG	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4,5,8,9,11-13,16-21,24,26,28-35,37,39 and 41-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4,5,8,9,11-13,16 and 17 is/are allowed.
- 6) ☒ Claim(s) 18-21,24,26,28-35,37,39 and 41-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/6/09</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This office action is in response to the amendment received 9/28/2009.
2. Claims 4, 5, 8, 9, 11-13, 16-21, 24, 26, 28-35, 37, 39, 41-68 are pending in the application.
3. The rejections have been removed by the examiner based upon the amendments made to the claims.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 18-21, 26, 28-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Cooper et al., USPN 5,680,223 filed (5/15/1005).**

In reference to independent claim 18, Cooper teaches:

‘receiving a piece of paper comprising a collection identifier and the annotation, the collection identifier identifying the electronically stored collection of information;

reading the collection identifier and the annotation from the piece of paper;

creating an electronic representation of the annotation from a portion of the piece of paper;

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accessing the electronically stored collection of information identified by the collection identifier; and adding the electronic representation of the annotation to the electronically stored collection of information.'

The reference discloses a method for scanning in paper document into a fax machine. The documents are part of a job or could be multiple jobs. The paper includes a logo or monogram (collection ID) and annotations made to each piece of paper included in the job. The collection identifier is read through software modules and steps are performed to create an electronic representation of the annotation. The logo included on the form is used for determining whether a subject page is a form or not. The information encoded in region will be a form identifier, pointing to a form description, and steps for processing the form and any associated documents, stored in the information data base or in the computer's memory. See column 9, lines 1-67 and column 10, lines 1-67.

In reference to dependent claim 19, Cooper teaches:

Once the job is complete the application take the form and builds the document from data included in the database. See column 10, lines 15-67.

In reference to dependent claim 20, Cooper teaches:

The paper document may be of virtually any type, for example one having text and/or illustrations imparted thereon. See column 6, lines 44-67.

In reference to dependent claim 21, Cooper teaches:

The paper documents are scanned in through a fax machine as disclosed within the reference to Cooper. See column 6, lines 1-67.

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In reference to dependent claim 24, Cooper teaches:

The paper documents scanned in may have handwritten notes regarding a specific function or task. See column 7, lines 1-67.

In reference to dependent claim 26, Cooper teaches:

The user will assemble together one or more pages which comprise a document and preface document. See column 7, lines 1-10.

In reference to dependent claim 28, Cooper teaches:

An alternative method and device for determining whether a subject page is a form or not is to include on form pages a logo or monogram in region and to employ appropriate image processing software to determine whether a page contains the logo or monogram in that region. See column 9, lines 35-67.

In reference to dependent claim 29, Cooper teaches:

The use of OCR however it is not needed within the invention to identify specific files. See column 4, lines 23-38.

In reference to dependent claim 30, Cooper teaches:

The paper includes a logo or monogram (collection ID) and annotations made to each piece of paper included in the job. The collection identifier is read through software modules and steps are performed to create an electronic representation of the annotation. The logo included on the form is used for determining whether a subject page is a form or not. The information encoded in region will be a form identifier, pointing to a form description, and steps for processing the form and any associated documents, stored in the information data base or in the computer's memory. See column 9, lines 1-67 and column 10, lines 1-67.

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In reference to dependent claim 31, Cooper teaches:

According to an aspect of the invention, the file is initially a document consisting of a carrier means such as paper, plastic, etc., having markings such as printing or writing thereon. See column 3, lines 41-67.

In reference to dependent claim 32, Cooper teaches:

Each send action then queues all indicated converted documents and instructs the TSR software module to coordinate the sending of each document, whether it be by way of fax transmission, network communication, or otherwise. See column 12, lines 35-67.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 33-35, 37, 39, 41-68 are rejected under 35 U.S.C. 102(e) as being anticipated by Huang et al., PGPub 2009/0254972 filed (6/19/2009).**

In reference to independent claim 33, Huang teaches:

‘generating a first pointer having a first path to a collection of information, the first path of the first pointer specifying a first access level from a plurality of access levels, wherein the first access level identifies a first level of access privileges;

Generating a second pointer having a second path to the collection different from the first path, the second path of the second pointer specifying a second access level different from the first access level, wherein the second access level identifies a second level of access privileges;

Generating a machine-readable indicium representing at least one of the first pointer and the second pointer, and outputting a document including the machine-readable indicium.'

The reference discloses specific documents having specific pointers or associations with specific access levels (privileges). Each access level is associated with one or more paths to access a specific collection of information. Multiple access levels represent different paths to the same collection of information. In the example given in the reference, access levels A, B, and C, allow users access to more or less documents within the collection of information. See page 6, [0072 through 0076]. The security information can be included in the header of the document and pointed to by the header. It is this feature taught by the reference to Huang that teaches a similar 'machine readable indicium representing at least one of the first pointer and the second pointer' and ultimately, the output of documents based upon different access privileges. See page 4, 0053 through 0057 and page 5, 0060 through 0065.

It is noted that the application discloses a "pointer" as follows: "Each collection has a specific, unique address or identifier, such as a uniform resource locator, which provides a pointer to the collection. References herein to a pointer, collection identifier, or distributed resource identifier (DRI) can be considered to refer to a URL or any other mechanism, tag, handle, pointer, or technique for identifying a file, collection, directory, or other group of files." See disclosure, paragraph [0053].

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In reference to dependent claim 34, Huang teaches:

Security information can be contained within the header or pointed to by a header. See page 4, 0053 through 0057.

In reference to dependent claim 35, Huang teaches:

The securing process starts with an encryption process, namely the document that has been created or is being written into a store is encrypted by a cipher with a file key. A secured file may be classified as “Top Secret”, “Secret”, “Confidential”, and “Unclassified”. The security clearance information includes another layer of encryption of the file key with another key referred to herein as a clearance key.

In reference to dependent claim 37, Huang teaches:

Figure 1D illustrates a printer device which could be used in the system for performing functions such as printing documents retrieved by the system. See Huang, figure 1D.

In reference to dependent claim 39, Huang teaches:

Each secured file is provided with header portion and security information. The security information is used to determine whether access to associated data portions of secured files is permitted. In general, a header is a file structure, and includes security information which can be included in the header or pointed to by a pointer that is included in the header. See page 4, 0055 through 0056 and page 5, 0057 through 0064.

In reference to independent claim 41, Huang teaches:

The limitations recite similar language as that of independent claim 33. However, the limitations state generating two different machine readable indiciums and two different documents which include each of the indiciums. The reference to Huang provides a mechanism

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to generate multiple headers for documents within a file structure. It points to different documents which include different headers. Each header has the ability to store or point to different access privileges. Therefore, the reference to Huang provides adequate evidence of the claimed limitations. See the rejection of independent claim 33 and page 5, 0062 through 0066.

In reference to dependent claim 42, Huang teaches:

Figure 1D illustrates a printer device which could be used in the system for performing functions such as printing documents retrieved by the system. See Huang, figure 1D.

In reference to dependent claim 43, Huang teaches:

The documents accessed by those who hold access privileges are derived from secured folders and include specific collection identifiers based upon the secured file and would be included in the printed document. See page 6, 0073 through 0075.

In reference to dependent claim 44, Huang teaches:

The privileges may include, but not be limited to: open, edit, write, print, copy, download and others. See page 7, [0082].

In reference to dependent claim 45, Huang teaches:

The access rules provide a user with access level A, authorization to view collections B and C. See page 6, 0073 through 0074.

In reference to dependent claim 46, Huang teaches:

Multiple access levels represent different paths to the same collection of information. In the example given in the reference, access levels A, B, and C, allow users access to more or less documents within the collection of information. See page 6, [0072 through 0076]. The security information can be included in the header of the document and pointed to by the header.

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In reference to dependent claim 47, Huang teaches:

A collection which includes documents A, B, and C, that makes up the complete set of documents for use with the example structure. See page 6, 0073 through 0074.

In reference to dependent claim 48 and 49, Huang teaches:

Digital assets may include, but not limited to, various types of documents, multimedia files, data, executable code, images, and texts. See page 2, 0034 through 0037.

In reference to dependent claim 50 and 51, Huang teaches:

A header is a file structure and includes, or links to, security information about a resultant secured document. The representation, as presently claimed, is suggested in the header, which provides access to the collection according to access levels specified by user. See page 5, 0060 through 0065.

In reference to dependent claim 52-54, Huang teaches:

Examples of a user being denied permission to view specific documents based upon privileges being modified. See page 6, 0073 through 0075.

In reference to dependent claim 55, Huang teaches:

The unique identifiers presented in the folder and based upon access privileges include ‘product milestones’, ‘product schedule’, etc. See page 6, 0073 through 0075.

In reference to claims 56-68, the claims recite similar limitations to those found in claims 33-35, 37, 39, 41-55. Therefore, the claims are rejected under similar rationale.

Allowable Subject Matter

8. Claims 4, 5, 8-9, 11-13, 16, and 17 are allowed.

Response to Arguments

9. Applicant's arguments with respect to claims 18-21, 24, 26, 28-35, 37, 39, 41-68 have been considered but are moot in view of the new ground(s) of rejection.

Applicant amended the claims and thus changed the scope of the claims when the claims are read as a whole. More specifically, the independent claims have been amended to include language such as 'creating an electronic representation of the annotation from a portion of the piece of paper' found in independent claim 18, Further, the independent claims that recite differentiated access to a collection now state 'generating a first pointer having a first path' and 'generating a second pointer having a second path'. The amendments made by the applicant required the examiner to withdrawal the rejections.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW J. LUDWIG whose telephone number is (571)272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen S. Hong/
Supervisory Patent Examiner, Art Unit
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